

Regular Meeting  
Thursday, March 23, 2015

Springview Government Center  
3130 E. Main Street  
Springfield, Ohio 45505

Mr. Tim Greenwood, Chairperson of the Board of Zoning Appeals, calls the meeting to order at 2:00 p.m.

Present: Mr. Tim Greenwood, Mr. Don Wallace, Mr. Rick Smith, Mr. Kyle Powell, Mr. Jack Spurlock, and Mr. Dave Minard

Absent: None

Also Present: Mr. Allan Neimayer, Clark County Community Development, and other interested persons.

Chairperson Greenwood asks if there are any comments regarding the January 29, 2015 minutes. Hearing none he asks for a motion.

**BZA: 04-06-2015: Minutes ~ January 29, 2015**

Motion by Mr. Powell, seconded by Mr. Minard, to **Approve** the minutes as presented.

**VOTE: Yes: Mr. Powell, Mr. Minard, Mr. Smith and Mr. Wallace**

**No: None**

**Abstain: Mr. Spurlock and Mr. Greenwood.**

***Motion carries.***

Chairperson Greenwood explains how the meeting will be held. Everyone will need to sign in that will be speaking. Staff will present the report and the Board will ask questions to Staff. The proponents will be able to speak followed by the opponents. Everyone will be sworn in before they speak. Rebuttal by the Applicant will follow, if desired.

Chairperson Greenwood asks the Board if anyone needs to Abstain. Hearing none, he asks the Staff to present the case.

**BZA-2015-02: Variance Case ~ Property Owner/Applicant: Theresa Siejack ~ Moorefield Township ~ Located at 4690 Urbana Road**

Mr. Neimayer stated that the subject property is located at 4690 Urbana Road in Moorefield Township. The property is zoned PD-M (Planned District Mixed Use District). The Applicant is requesting a variance to Chapter 6, Section B, 3, h) to increase the size of the message area of a digital sign from 16 sq. ft. to 32 sq. ft. That section of the zoning regulations limits the message area to 2 ft. in height and 8 ft. in width (16 sq. ft.). The attached sign exhibit shows the overall dimensions of the proposed sign plus that of the digital sign.

Mr. Neimayer also stated that a zoning certificate for the existing sign was issued on December 27, 2006 with smaller dimensions – 6 ft. width by 10 ft. height. The face of that sign was oriented parallel to Urbana Road instead of perpendicular to the road. The face of the proposed new sign

will be oriented perpendicular to the road making it easier for drivers to locate the entrance drive. The sign will be compliant with current sign regulations.

Mr. Neimayer stated that there were no comments from any surrounding property owners. The case was also discussed at the monthly Technical Review meeting and there were no comments.

Mr. Neimayer stated that he would answer any questions from the Board at this time.

Mr. Wallace asked what the dimensions were of the sign.

Mr. Neimayer stated that the message display area of the sign is currently 2 ft. by 8 ft. They are essentially doubling the size and requesting a 4 ft. by 8 ft. display area.

Mr. Spurlock stated that the request is for a 4 ft. x 8 ft. sign but it says 36 square feet.

Mr. Neimayer confirmed it is 4 ft. x 8 ft. – 32 square feet.

Mr. Wallace asked what the overall dimensions of the sign are.

Mr. Neimayer stated that it would be a little bit taller and a little bit wider than originally asked for.

Mr. Wallace asked if there have been any comments from others along Urbana Road. He stated that most of the signs along that road are small.

Mr. Neimayer stated that signs can actually be quite large. It is the electronic message display area that is regulated so as not to distract drivers.

Mr. Wallace commented that he missed Simon Kenton Inn due to not seeing the sign on one occasion.

Mr. Spurlock stated that some of these signs can get very bright and could be a distraction while driving.

Mr. Wallace brought to the Board's attention the new electronic sign that was placed off I-70 by the fairground.

Mr. Neimayer stated that sign was put up by the Chamber and is more of an electronic billboard. Signs are going more electronic due to the ease of changing the information on them.

Mr. Spurlock stated that James Flooring on Bechtle Avenue has a sign that has very bright colors in it. If the sun is shining just right the sign is almost blinding. In the future, the brightness of the signs should not be allowed and it might be worth thinking about changing regulations. He suggested that maybe the regulations are too liberal.

Mr. Smith asked how high or what kind of clearance from the finished grade to the bottom of the electronic sign. He also asked if the area was going to be open so that one could see through.

Mr. Neimayer stated that it would be 20 ft. high and there would be 10 ft. of open space.

Chairperson Greenwood opens this portion of the public hearing at 2:04 pm. and asked if anyone would like to speak in favor of the case.

Mr. Mark Schutte of Midwest Sign & Graphics LLC, Agent for the Applicant, whose address is 2675 E. Main Street, stated that from the ground to the base of the sign it is approximately 10 feet. It could be a little less with the finished design of the sign. The overall height of the sign will be 10 feet.

Mr. Smith stated that the reason he brought that up is that when traffic gets backed up due to large events like weddings, people like to be able to look up ahead and to know what to expect.

Mr. Schutte stated that one of the issues encountered was that people that are attending those large events would tend to miss the small sign and want to back up which then would cause a back log problem and a potential safety risk. The goal is to move the sign into a logical location and allow those to identify the location.

Mr. Schutte stated that he was familiar with the James Flooring Sign that Mr. Spurlock brought up. There was a dispute between the (City of Springfield Planning) director and the sign owner and due to a silly objection zoning liberations were setback. It was a safety issue and was done deliberately by the owner with a dispute with the city. The proposed sign (for Simon Kenton Inn) will be automatically controlled and have an optic eye to control brightness in different weather conditions. The 4 ft. x 8 ft. (electronic message sign) was requested for the look but also to make an effective sign that is easier to read and also to be visible from the south bound lane. He feels this sign would be an asset to the area and also to the owner.

Mr. Spurlock asked if this is a video type screen or a LED.

Mr. Schutte stated that it is a LED screen. The pixels will be so close that the resolution will be very good. The capability for video is there but the owner will be in complete compliance with zoning regulations.

Mr. Neimayer stated that county regulations do not allow video or streaming on signs. The sign has to display a message.

Mr. Schutte added that crash data suggests, and all the recent studies and reports from the United States Sign Council and the Ohio Department of Transportation, has overwhelmingly demonstrated that these signs are very safe. There is no statistical data that suggests these signs are going to cause driver lack of attention or a hazard to vehicles. The sign should be very effective and safe for all parties.

Chairperson Greenwood asked if there was anyone else that would like to speak in favor. There were none.

Chairperson Greenwood asked if there was anyone that would like to speak in opposition. Hearing none he closed this portion of the public hearing at 2:23 pm.

Chairperson Greenwood asked if there were any further questions or comments from the Board.

Mr. Wallace stated that he feels that these signs can somewhat minimize distractions.

Mr. Spurlock stated that his concern is the brightness of the signs. If the signs were more muted in colors, they maybe not so distracting.

Mr. Powell asked if the sign for James Flooring is located in Springfield Township.

Mr. Spurlock stated it is not. The sign is located on Bechtle Avenue in the City of Springfield.

Mr. Powell asked how many nits that sign had.

Mr. Neimayer stated that he did not know. That particular sign is what started discussions with the city due to complaints.

Mr. Powell asked if the sign exceeded the 5,000 limit.

Mr. Neimayer stated that he was not sure about today, but in past years through conversations with City staff and others as the county was working through its regulations was sure that it did. That sign is much closer to Bechtle Avenue than the proposed Simon Kenton Inn sign would be to Urbana Road.

Mr. Spurlock asked if this request would be approved would it be setting a precedent to others in the future.

Mr. Neimayer stated it would be setting a precedent, but each case in the future would have its own circumstances that would have to be taken into consideration. It would not mean that each future case would have to be approved.

Chairperson Greenwood asked if there were any further questions for Staff from the Board. There were none. He asked for a motion.

**BZA: 04-07-2015: BZA-2015-02 ~ Variance Case ~ Property Owner/Applicant:  
Theresa Siejack ~ Moorefield Township ~ Located at 4690 Urbana Road**

Motion by Mr. Smith, seconded by Mr. Wallace, to **Approve** the Variance as presented.

**VOTE: Yes: Mr. Smith, Mr. Wallace and Mr. Powell**

**No: Mr. Spurlock**

***Motion carries.***

Mr. Wallace made a correction that the Billboard at the Fairgrounds is actually owned by the Conventions Facility Authority and not the Chamber.

Mr. Spurlock asked if it would be possible to get examples on proposed signs so that the Board would have better reference on how to judge brightness, etc.

Mr. Neimayer stated that he would work on that. He asked Mr. Terry Shaffer if there have been any complaints to the county on signs recently.

Mr. Shaffer stated that he recalled one complaint on a church on Milton-Carlisle Road concerning brightness.

Mr. Neimayer stated that they have since toned the brightness down.

Mr. Smith stated that maybe the County could adopt into our regulations some of what the City of Springfield has in theirs.

Mr. Neimayer stated that the City has different regulations under each of the different business districts. That would not be as practical for the County to do.

Mr. Powell asked if the County changes regulations would the proposed sign be grandfathered in.

Mr. Neimayer stated that is correct.

### **STAFF COMMENTS**

Mr. Neimayer stated the next scheduled meeting will be May 28, 2015.

### ***ADJOURNMENT***

Chairperson Greenwood asks for a motion for adjournment.

#### **BZA: 04-08`-2015 ~ Adjournment**

Motion by Mr. Spurlock, seconded by Mr. Powell, to adjourn the meeting.

***VOTE: Motion carries unanimously.***

The meeting was adjourned at 2:41 pm.

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Tim Greenwood, Chairperson